IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43858 of 2008

1. MOBARAK ANASARI
2. WARIS ANSARI
3. SALIM ANSARI
4. MUSTKIMA KHATOON
5. SABILA KHATOON
6. RUKSANA KHATOON
7. RAHMATULLA ANSARI
8. BARAKTULLA ANSARI

Versus

STATE OF BIHAR

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2 21.11.2008 Heard learned counsel for the petitioners and the State.

The petitioners are husband and his family members apprehending arrest in a complaint case under sections 498A of Indian Penal Code.

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The submission is that in the earlier police case filed by the present complainant, the husband took a stand of compromise when his provisional bail came to be confirmed by this Court. Unfortunately, he was not aware of the niceties of the Mohammadan law required to be complied with by him since he had earlier divorced the complainant and was required to follow certain formalities to take her back as his wife. This has not been done till date leading to the present allegations.

Prayer is, therefore, made to withdraw the application in so far as the petitioner no. 1 is concerned, at this stage, with liberty to re-agitate the matter after he completes the necessary formalities in that regard. The application is dismissed as withdrawn with regard to petitioner no. 1.

In view of the aforesaid discussion, let petitioner nos. 2 to 8 abovenamed surrender before the court below within four weeks when they shall be enlarged on anticipatory bail upon furnishing the bail bonds of Rs. 10,000/- (ten thousand)each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi in connection with Complaint case no. C-1/246/06.

pkj **(Navin Sinha, J)**

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